

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

USDS SDNY
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DATE FILED: _____

LINDA MCGARR,

Plaintiff,

v.

**CITY OF PEEKSKILL, PUTNAM COUNTY,
WESTCHESTER COUNTY, DAVID LEVINE,
THOMAS MCINTYRE, WALTER
BROVARIKI, EUGENE TUMOLO, JOHN
AND JANE DOE SUPERVISORS, DANIEL
STEPHENS, LOUIS ROH, MILLARD
HYLAND, PETER INSERO, and LEGAL AID
SOCIETY OF WESTCHESTER COUNTY**

Defendants.

**STIPULATION PURSUANT TO
FRCP 41 DISCONTINUING
PLAINTIFF'S ACTION AND
DEFENDANTS' CROSS-CLAIMS
WITH PREJUDICE AGAINST
DEFENDANTS WESTCHESTER
COUNTY, LOUIS ROH AND
MILLARD HYLAND ONLY**

No. 07-CV-~~8150~~ (KMK)(GAY)
9488

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IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil

Procedure 41(a) (1)(A) (ii) among the undersigned, the attorneys of record for the plaintiff Linda McGarr and the defendants City of Peekskill, Putnam County, Westchester County, David Levine, Thomas McIntyre, Walter Brovarski, Eugene Tumolo, Daniel Stephens, Louis Roh and Millard Hyland, that whereas no party hereto in an infant or incompetent person for whom a committee or conservatee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action including all cross-claims be, and the same hereby is discontinued with prejudice as to the settling defendants, Westchester County, Louis Roh and Millard Hyland only, without costs to the settling parties as against the others. All cross-claims asserted by the settling defendants Westchester County, Louis Roh and Millard Hyland are discontinued with prejudice.

The signing of this stipulation shall not operate to waive or diminish the right of the defendants, City of Peekskill, David Levine, Thomas McIntyre, Walter Brovarski, Eugene Tumolo, Daniel Stephens and Putnam County to seek an apportionment of liability against Westchester County, Louis Roh and Millard Hyland. This stipulation may be filed without further notice with the Clerk of the Court.

This agreement may be executed in counterparts.

Dated: White Plains, New York
July 22, 2011

WILSON ELSE MOSKOWITZ EDELMAN & DICKER, LLP

By: 

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By: _____
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(210) 487-1080

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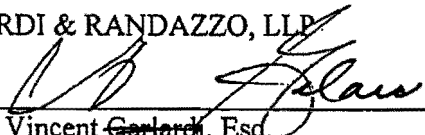
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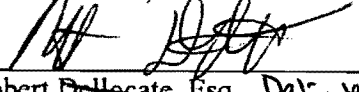
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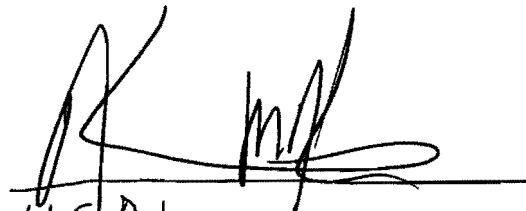
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U.S. D.J. 10/5/11